

EXHIBIT 8
DATE 2-6-15
HB 313

February 6, 2015

TO: House Education Committee

FROM: Steve White

RE: HB 313

The attached material is being provided as part of my testimony in OPPOSITION to HB313:

- 20-5-108 MCA Tribal agreement with school district for compulsory attendance
- Crow Tribal Act to address truancy
- Graduation rates – Hardin
- Graduation rates – Lodge Grass
- Graduation rates in Hardin improve – Big Horn County News (01/29/2015)
- Graduation rates in Laurel improve – Billings Gazette (01/27/2015)

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20-5-108. Tribal agreement with district for Indian child compulsory attendance and other agreements. It shall be the duty of the trustees of any district where an Indian child resides to require the child to attend school in the same manner as any other child residing in the district, unless it is prohibited by the laws or treaties affecting the Indian tribe of which such child is a member or the Indian reservation on which such child resides. When such a prohibition exists, the trustees of any district shall have the authority to accept from the tribal council or other governing body of the Indian tribe or the Indian reservation authorization to enforce the compulsory attendance provisions of this title and compel the school attendance of the Indian children belonging to the tribe or residing on the reservation.

History: En. 75-6309 by Sec. 122, Ch. 5, L. 1971; R.C.M. 1947, 75-6309(part).

Provided by Montana Legislative Services

JANUARY 2005 CROW TRIBAL LEGISLATURE

BILL NO. CLB05-06

**INTRODUCED BY CARL E. VENNE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH**

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE CROW LAW AND ORDER CODE TO ADDRESS TRUANCY"

Whereas, the high school graduation rate for American Indian children in Montana is less than 48%, compared to a rate of more than 80% for non-Indian children; and

Whereas, there is a significant problem with truancy of children residing on the Crow Reservation; and

Whereas, the school attendance officers at the public schools have the duty to enforce school attendance whether pupils reside on or off the Crow Reservation; and

Whereas, the Crow Nation wishes to provide an alternative under Crow Law to enforcement of compulsory school attendance under state law; and

Whereas, the amount of funding for schools depends, in part, on the number of students in attendance and, therefore, truancy hurts all students enrolled in public schools, their families, and the Crow Nation; and

Whereas, parents, guardians and others responsible for the care of children residing on the Crow Reservation bear the ultimate obligation to ensure that children attend school; and

Whereas, it is essential to the present and future well being of the Crow Tribe that the children and youth of the Tribe be educated and prepared to take on adult responsibilities at the appropriate time; and

WHEREAS, the interests of the Crow Nation will be served by adoption of the following amendments to the Crow Law and Order Code;

NOW, THEREFORE, BE IT ENACTED BY THE CROW TRIBAL
LEGISLATURE:

Section 1. The Crow Law and Order Code is amended as follows:

Title 9, Chapter __, Part 7, Section 101 (20) is amended to clarify the role of the "juvenile officer":

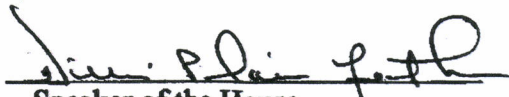
01.21.05
ADOPTED

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CERTIFICATION

I hereby certify that this Bill: "AN ACT TO AMEND THE CROW LAW AND ORDER CODE TO ADDRESS TRUANCY" was duly enacted by the Crow Tribal Legislature with a vote of 13 in favor, 1 opposed, and 0 abstained and that a quorum was present on this 21st day of January, 2005.


Speaker of the House
Crow Tribal Legislature

ATTEST:


Secretary, Crow Tribal Legislature

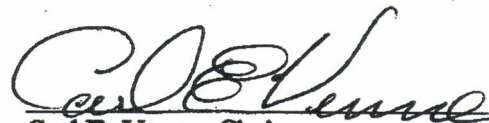
EXECUTIVE ACTION

I hereby

X approve

 veto

this Bill pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe of Indians, on this 31st day of JANUARY, 2005.


Carl E. Venne, Chairman
Crow Tribal Executive Branch

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(20) "Juvenile Officer" means the youth probation officer, who shall also serve as the Truancy Officer for the Crow Tribe. The juvenile officer works under the direction of the Tribal Prosecutor. When performing duties related to truancy, the Juvenile Officer shall coordinate and cooperate with the Home School Coordinator or other appropriate official at each school where a substantial percentage of students are children of Crow tribal members. Under appropriate circumstances, upon motion and good cause being shown, the Court may designate the Home School Coordinator, other appropriate official, or his or her named designee, to serve as an Ad Hoc Truancy Officer for the Crow Tribe.

Title 8B, Chapter 5, Part 6, Offenses Against the Family, Section 8B-5-608, Endangering the Welfare of Children, is amended as follows:

- (1) A parent, guardian, or other person supervising the welfare of a child less than 18 years old commits the offense of endangering the welfare of children if he/she knowingly endangers the child's welfare by violating a duty of care, protection, or support or if he/she knowingly fails to cause a child less than 18 years old to regularly attend school without legal justification.
- (2) A parent or guardian of any person who is 18 years of age or older, whether or not he/she is supervising the welfare of the child, commits the offense of endangering the welfare of children if he/she knowingly contributes to the delinquency of a child less than 18 years old by:
 - (a) supplying or encouraging the use of intoxicating substances by the child; or
 - (b) assisting, promoting, or encouraging the child to:
 - (i) abandon his place of residence without the consent of his parents or guardian;
 - (ii) enter a place of prostitution; or
 - (iii) engage in sexual conduct.
- (3) On the issue of whether there has been a violation of the duty of care, protection, and support, the following in addition to all other admissible evidence, is admissible: cruel treatment; abuse, infliction of unnecessary and cruel punishment; abandonment; neglect; lack of proper medical care, clothing, shelter, and food; and evidence of past bodily injury.
- (4) Endangering the welfare of children is a Class C offense for which the offender shall be imprisoned in the Crow Tribal Jail for any term not to exceed 6 months or be fined an amount not to exceed ~~\$2500.00~~ \$1000.00 payable to the Crow Tribal Court, or both except that the Court may imprison the offender for one day or may impose a fine of up to \$100 for each day an

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offender has failed to cause a child less than 18 years old to attend school without legal justification, or both, not to exceed \$1000 or 6 months.

- (5) In lieu of a fine or imprisonment, and upon a showing of intention to comply with the law requiring compulsory school attendance, the Court may order the defendant to perform community service at the child's school under the supervision of the school's Home School Coordinator or other appropriate official, or may impose other community service. The judge may also impose a requirement for parents to enroll in Crow traditional counseling or a certified parenting program or the juvenile officer may enter into an informal adjustment agreement with the parents and juvenile as provided in Title 9.
- (6) Any parent, guardian, or other person who is responsible for the care of any child residing on or near the Crow Reservation who is of kindergarten enrollment age or older prior to the first day of school in any academic year shall cause the child to attend the school in which he or she is enrolled for the school term and each day school is open during the term until the child has either reached the age of eighteen (18) or completed the work of the twelfth (12th) grade. Legal justification for failure to cause the child's attendance include (a) illness of the child; (b) death of a family member; (c) the funeral or feast in remembrance of a family member; (d) legal holidays of the Crow Tribe as defined in Title 5, Rule 28; (e) completion of the GED program; or (f) legal emancipation.
- (7) The Juvenile Officer shall develop a Memorandum of Agreement with the Superintendents of schools located within the boundaries of the Crow Reservation and schools in which a substantial percentage of students are children of Crow tribal members to provide for enforcement of compulsory school attendance under the Crow Law and Order Code.

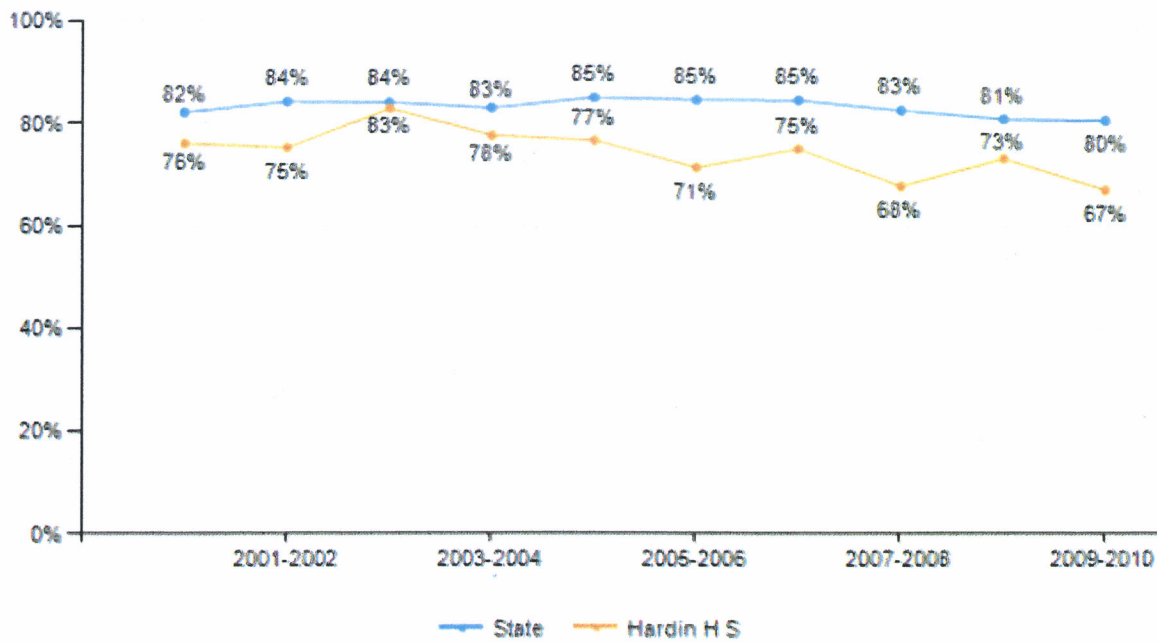
Section 2. Upon enactment of this Bill by the Crow Tribal Legislature and approval of the Chairman of the Executive Branch, the foregoing amendments are hereby adopted, with an immediate effective date.

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ADOPTED

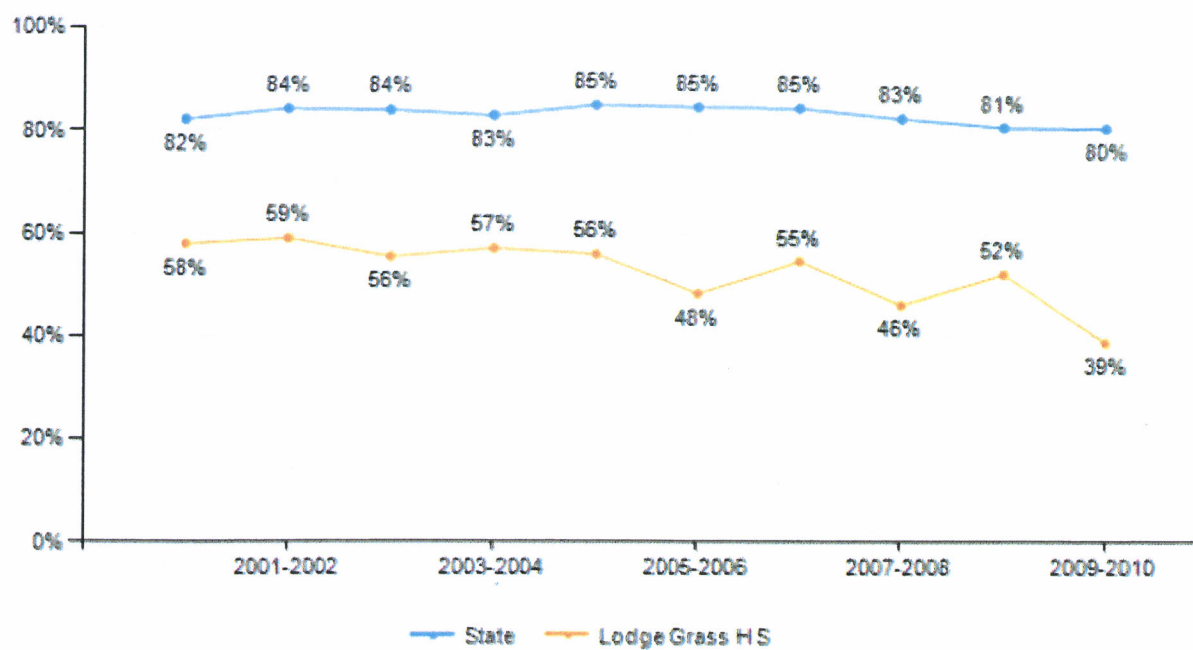
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Graduation Rates - Hardin



Graduation Rates – Lodge Grass



DROPOUT RATE DROPS

Thu, 01/29/2015 - 6:00am admin

Hardin improves graduation rate to over 72 percent

By Jim Eshleman, Big Horn County News

"It's a full on community effort to keep students in school." – Laura Sundheim, Hardin High School counselor

High school graduation rates are climbing, dropout rates are falling and it's a promising trend for students attending Hardin High School.

According to the Montana Office of Public Instruction (OPI) the dropout rate in Hardin fell from 10.71 percent in 2012-13 school year to 4.92 percent in 2013-14 and the graduation rate rose from 60.91 percent to 72.28 percent for the same period.

Among Native American students attending Hardin, the 2012-13 dropout rate was 14.23 percent, which decreased in 2013-14 to 6.34 percent. The state average for Native American students is 9.72 percent.

Hardin High School counselor Laura Sundheim said, "It's great news on our graduation and dropout rates."

During the 2013-14 school year Lodge Grass High School's dropout rate was 11.65 percent, Plenty Coups' 25 percent and Lame Deer's 31.96 percent.

Compared to other schools around the state, the dropout rate for Native Americans in the Billings schools is 14.78 percent, Havre 14.29 percent, Wolf Point 12.12 percent and Browning 9.68 percent.

According to Sundheim, graduation rates are figured by the number of incoming freshmen, minus those who transfer to another schools, plus those students that transfer in school compared with the number that receive their diplomas as seniors.

For the 2013-14 school year, the number of students who dropped out of school decreased by almost 60 percent from the 2012-13 school year.

Programs like "Graduation Matters", implemented in 2013, seem to have helped.

Sundheim said, "The majority of students that drop out are the younger kids."

She noted the importance of keeping kids in schools. According to a 2012 study by the U.S. Census Bureau, high school graduates aged 25 to 34 with no further education make a median income of \$27,511, a 41.70 percent increase over the non-graduate median, \$19,415.

Hardin High School Principal Rob Hankins said the effort to keep kids in school was promoted by teachers, staff, students and families.

"It's a full on community effort to keep students in school," Sundheim said.

According to Hankins, the Hardin School system has worked to make the Intervention Class more successful.

"We've made adjustments to our reading, math and science intervention classes. We have after school tutoring, summer programs, we've changed class schedules," Hankins said. "It's to make sure everybody is successful. It's about helping students get a better start."

It's not only about in school changes, but working hand-in-hand with the Crow Tribe and working with student's families, explained both Sundheim and Hankins.

"Families play an important role in their student's performance," Hankins said.

According to Hankins, every teacher is required to call their student's homes.

Hankins and Sundheim also pointed out Student Advocate Janie Delp.

"She visits every incoming freshmen's home the summer before they enter high school," said Sundheim.

Each student is contacted once again by Sundheim at the beginning of their senior year.

This year, Hardin further cemented educational support for incoming students through Freshman Academy, which provides specialized courses and schedules for freshman who are at risk of dropping out.



BILLINGS GAZETTE

Laurel graduation rate spikes as students get 'intensive care'

14 HOURS AGO • BY [DEREK BROUWER](#)

At Laurel High School, failure is not an option.

That's the attitude among educators and administrators, and it is increasingly the reality for students, a record number of whom received diplomas on time last year.

Only 11 students in the class of 2014 dropped out, while 137 graduated, state data shows.

Since 2011, the district's graduation rate has increased 15 points to 92 percent, and its dropout rate is now half of the state average, at a mere 1.7 percent. Laurel has moved from near the bottom of the state's 20 A schools to fourth.

District leaders said the improvement comes as a result of strong teachers and several recent efforts to support students and provide alternative options for those who are struggling.

"It's all in the recipe," Superintendent Tim Bronk said.

The approach, officials said, has been all-encompassing, from a credit recovery pilot program to an alternative high school option to new dual-credit courses in college writing and algebra.

"These four walls aren't made for everybody," said Linda Filpula, the district's director of curriculum, instruction and assessment.

The most transformative effort, though, is a program implemented last year at the middle and high schools that puts a singular focus on making sure students do their work. All of it.

Called the Power of ICU — for "intensive care unit," coined by education consultants from Tennessee — the program's premise is to prohibit students from taking zeroes on homework and project assignments, then build a network of support to help them get it done.

"Basically, failure is not an option," Filpula said. "We're not going to just let students not do their homework."

That means students still get most of the credit for turning assignments in late. In fact, they have until the end of the semester to finish it.

Teachers closely track late work and are able to intervene the moment students slip behind. As soon as a student misses a due date, he or she is put into the "ICU," where "lifeguards" make contact and provide a list of missing work. Extra time is set aside during and after the school day for ICU students to catch up, with support from teacher coaches.

Parents, too, receive text messages or emails the moment a teacher logs their child's assignment as missing. If the student blows off assignments in every class, parents could get a half-dozen messages in a day.

"It's definitely a philosophical change," said Mark Goyette, a high school counselor. "The philosophy is every student does every assignment."

The idea is that by completing the work, students are more likely to learn, high school Principal Ed Norman said.

"If kids are doing the work, and they're held accountable for their work, they can't help but learn," said Bronk, the superintendent.

It has certainly led to fewer failing grades. In only a year, the number of high school students who failed a course has been cut in half, and the total number of failed courses dropped 60 percent, according to school data.

High school officials are proud of the results so far as they continue to hone the system. The district's goal is to hit a 95-percent graduation rate by 2018, librarian and Graduation Matters Laurel chair Lori Hodges said.

Last week, they presented course and graduation data to students during an assembly, coupled with statistics showing the economic and social worth of a high school degree.

Goyette said the presentation is another way to encourage students to have a stake in their own success.

"They need to see the numbers, too," Norman said. "They can get pumped up a bit."